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Workshop: Collective Bargaining and Labor Relations Training for New Administrators and New Union Representatives - Introduction to Collective Bargaining

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Introduction to Collective Bargaining



Introductions & Expectations

Collective Bargaining

Collective bargaining is an economically rational behavior engaged in by two competing interest: employers and labor unions.

Settlement between the two parties is reached at an equilibrium point at which both employer and employee perceive that they will be better off if they agree than if they do not.

In the case of college faculty bargaining, the union's major goals are improved financial compensation, job security, and reduced work loads.

Institutions of higher education, however, seek to conserve their scarce resources in order to maximize productivity, particularly in regard to institutional quality. (Leslie & Hu, 1977, p. 33)

Definition of Collective Bargaining

The performance of the mutual obligation of the employer and the representative of the employees to:

- **meet at reasonable times**
- **confer in good faith**

Section 8[d] of the National Labor Relations Act

What's covered by an academic collective bargaining agreement?

- **Wages**
 - **Compensable benefits**
 - **Merit**
- **Hours (workload)**
 - **Assignment of duties**
- **Other conditions of employment**
 - **Evaluation**
 - **Facilities**

Framework for Collective Bargaining

- **Notices to bargain**
- **To meet at reasonable times**
- **Good faith bargaining**
- **Confer in good faith**
- **Mandatory, permissive, illegal subjects**

When Bargaining Is Required

- **Initial Contracts**
- **Renegotiations**
- **Reopeners**
- **Effects**

Steps of Negotiations

- **Pre-Bargaining**
- **Bargaining**
- **Post-Bargaining**

Preparation for Collective Bargaining



Gather Information

- **Sources of information**
 - **Survey Constituents**
 - **Current Contract**
 - **Grievance History**
 - **Business & Economic Trends**
 - **Comparable (Salaries, Healthcare, etc.)**

Preliminary Proposal Wish List

- **Assess critical issues**
- **Costing**
- **Evaluate and leverage positions realistically**
- **Priorities and objectives
(sometimes called “bottom line”)**

Logistics and Administrative Issues

- **Send proper notice**
- **Develop internal target dates for bargaining objectives**
- **Public relations and image issues**

Establish and Prepare Team

- **Identify lead spokesperson and other roles**
- **Review meeting protocol to be adopted at the table**
- **Role of team**
- **Role of chief spokesperson**

Joint Sessions



Preliminary Meeting

- **Schedule**
- **Ground Rules**
- **Roles**
- **Confidentiality**

First Meeting (Initial Presentations)

- Opening Statement
- Initial Proposal Exchange
- Information Requests
- Housekeeping
- Update Bargaining Calendar

Early Meetings

- **Process is underway**
- **Types of meetings:**
 - **Joint sessions**
 - **Caucuses**
 - **Sidebar discussions**

Middle Meetings

- Typically begin to make movement on minor issues
- Packaging & Trading
- May begin to target economic issues

Closing Meetings

Focus is usually on major economic issues

Settlement and Ratifications

- **Tentative Agreement (TA)**
- **Wrap-Up**
- **Aftermath of Negotiations**

Post Bargaining



Ratification With a Recommendation

- **Timing**
- **How much information should be given to ratifying body?**
- **Has agreement been rejected previously?**
- **Standing of Negotiating Committee**
- **The quality of Agreement Endorsement of Negotiating Committee**

Post-Bargaining Wrap-up

Post-Ratification Education

- **Internal**
 - **From Management**
 - **From Union Reps**
- **External**

Completion w/o Recommended Offer

- **Last Best and Final Offer (LBFO)**
- **Schedule another meeting**
- **Mediation or other 3rd party involvement**
- **Continue working under the existing CBA with a contract extension**
- **Some form of job action**

Possible Third Party Interventions

- **Fact-finding**
- **Mediation**
- **Interest arbitration**

Group Simulation